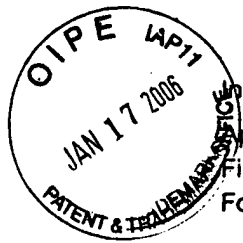


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fagerstrom et al.Application No.: 10 / 659,776Group No.: 2687Filed: September 10, 2003Examiner: S. MarivelisseFor: MOVABLE FUNCTIONAL ELEMENTS FOR MOBILE COMMUNICATION DEVICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

WARNING: Failure to file a complete response in compliance with § 1.135(c) leads to a reduction in patent term adjustment — See § 1.704(c)(7).

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

- ☐ a small entity. A statement:
- ☐ is attached.
- ☐ was already filed.
- ☒ other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Janet Hames
Signature

Date: 1/13/06

Janet Hames

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. § 1.645 for extensions of time in interference proceedings, and 37 C.F.R. § 1.550(c) for extensions of time in reexamination proceedings.

NOTE: 37 C.F.R. § 1.704(b) ". . . an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136
(fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this is a conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE ADDIT. FEE		OR RATE ADDIT. FEE	
TOTAL • 29		MINUS .. 25		= 4		×\$25= \$		×\$50= \$ 200.00	
INDEP. • 2		MINUS *** 3		= 0		×\$100= \$		×\$200= \$ 0	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+\$180= \$		+\$360= \$	
						TOTAL ADDIT. FEE \$		OR TOTAL ADDIT. FEE \$ 200.00	

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☐ No additional fee for claims is required.

OR

(d) ☒ Total additional fee for claims required \$ 200.00

FEE PAYMENT

☒ Attached is a ☒ check ☐ money order in the amount of \$ 200.00

☐ Authorization is hereby made to charge the amount of \$ _____

☐ to Deposit Account No. _____

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

☐ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

☐ A duplicate of this paper is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account
No. 23-0442

AND/OR

- ☒ If any additional fee for claims is required, charge Account
No. 23-0442

Reg. No.: 30,927

Tel. No.: (203) 261-1234

Customer No.: 4955


SIGNATURE OF PRACTITIONER

K. Bradford Adolphson

Ware, Fressola, Van der Sluys & Adolphson LLP
(type or print name of practitioner)

Bradford Green, Bldg. 5, 755 Main Street

P.O. Address

P.O. Box 224, Monroe, CT 06468

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fagerstrom et al.

Application No.: 10/659,776

Group No.: 2687

Filed: September 10, 2003

Examiner: S. Marivelisse

For: MOVABLE FUNCTIONAL ELEMENTS FOR MOBILE COMMUNICATION DEVICE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

WARNING: A transmission of drawings after a Notice of Allowance may subject an application to a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

NOTE: Filing by facsimile is not permitted for drawings "submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 except when submitted with the issue fee." (Under 37 CFR 1.6(d)(4), drawings submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 may not be filed by facsimile transmission in patent applications. However, the Office has waived the prohibition in 37 CFR 1.6(d)(4) against the submission of drawings by facsimile when drawings are facsimile transmitted with the issue fee. See Payment of the Issue Fee and Filing Related Correspondence by Facsimile, 1254 Off. Gaz. Pat. Office (January 15, 2002). Applicants are reminded that the facsimile process may reduce the quality of the drawings, and the Office will generally print the drawings as received. MPEP, § 502.01(II)(C), 8th Edition, Rev. 2.

NOTE: The Office has authorized the payment of any required publication fee by authorization to charge a deposit account or credit card, and drawings: 703-746-4000 facsimile number. The Office notes that although the submission of drawings by facsimile may reduce the quality of drawings, the Office will generally print the drawings as received. See "New Patents Central FAX Number and Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence", 1296 OG 76, July 12, 2005.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: 1/13/06

Janet Hames

Signature

Janet Hames

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Formal Drawings In Response to Notice of Informal Drawings [9-16.1]—page 1 of 2)

In response to the ~~NOTICE OF INFORMAL DRAWINGS~~ mailed on 11/25/05, (date)
attached please find:

(a) the formal drawing(s) for this application. nine Number of Sheets 9

NOTE: "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawings a minimum distance of 1.5 cm. ($\frac{5}{16}$ inch) down from the top of the page. In addition, a reference to the application number, or, if an application number has not been assigned, the inventor's name, may be included in the left-hand corner, provided that the reference appears within 1.5 cm ($\frac{5}{16}$ inch) from the top of the sheet." (37 C.F.R. § 1.84(c)).

☒ Each sheet of drawing indicates the identifying indicia suggested in § 1.84(c) on the reverse side of the drawing.

(b) a copy of the ~~NOTICE OF INFORMAL DRAWINGS~~.

Reg. No.: 30,927

Tel. No.: (203) 261-1234

Customer No.: 004955


SIGNATURE OF PRACTITIONER
K. Bradford Adolphson

Ware, Fressola, Van der Sluys & Adolphson LLP
(type or print name of practitioner)

Bradford Green, Bldg. 5, 755 Main Street
P.O. Address

P.O. Box 224, Monroe CT 06468